

**REMARKS**

Applicant respectfully asks for reconsideration of both this application and the Office Action dated July 25, 2006. A response to this Office Action was due by October 25, 2006. Accordingly, Applicant is concurrently submitting a Petition for a three month extension of time, together with authorization for the Commissioner to charge the associated Petition fee of \$450 to Deposit Account No. 19-0733. Please consider this Amendment as timely filed.

Claims 43-54 were pending in this application. In an effort to expedite prosecution of this application, Applicant has amended claim 43 to incorporate the subject matter of claims 47, 48 and 50, and these claims have been canceled. In addition, Applicant has canceled claims 51-54 herein. Lastly, claim 49 is amended to depend from claim 43.

In the Office Action, the Examiner first rejected claims 43-45 and 51 under 35 U.S.C. §103 over U.S. Patent No. 6,633,757 to Hermann et al. in view of U.S. Patent No. 6,564,056 to Fitzgerald.<sup>1</sup> The Examiner also rejected claims 46, 52 and 53 under 35 U.S.C. §103 over U.S. Patent No. 6,633,757 to Hermann et al. in view of U.S. Patent No. 6,564,056 to Fitzgerald, and in further view of U.S. Patent No. 6,246,755 to Walker et al. Applicant respectfully traverses these rejections, but points out that they are moot with respect to claim 43-46, as these claims are amended herein to incorporate the subject matter of claims 47, 48 and 50. This rejection also is moot with respect to claims 51-53, which are canceled herein.

The Examiner also rejected claim 49 under 35 U.S.C. §103 over U.S. Patent No.

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1. Applicant respectfully points out that, while this rejection refers only to claims 43-45 and 51, the Examiner includes claim 47 in the discussion of the rejection. Clarification of the status of claim 47 is respectfully requested.

6,633,757 to Hermann et al. in view of U.S. Patent No. 6,564,056 to Fitzgerald, in further view of U.S. Patent No. 6,266,401 to Marchbanks et al., and in still further view of U.S. Patent No. 6,246,755 to Walker et al. Applicants respectfully traverse this rejection, but points out that this rejection is moot, as claim 49 depends from claim 43 (which, in turn, is amended to incorporate the subject matter of claims 47, 48 and 50 herein).

Claim 54 was rejected under 35 U.S.C. §103 over U.S. Patent No. 6,633,757 to Hermann et al. in view of U.S. Patent No. 6,564,056 to Fitzgerald, and in further view of U.S. Patent No. 6,047,051 to Ginzboorg et al. Applicant respectfully traverses this rejection as well, but points out that this rejection also is moot with the cancellation of claim 54 herein.

The Examiner then rejected claim 48 under 35 U.S.C. §103 over U.S. Patent No. 6,633,757 to Hermann et al. in view of U.S. Patent No. 6,564,056 to Fitzgerald, and in further view of U.S. Patent No. 6,266,401 to Marchbanks et al. The Examiner also rejected claim 50 under 35 U.S.C. §103 over U.S. Patent No. 6,633,757 to Hermann et al. in view of U.S. Patent No. 6,564,056 to Fitzgerald; and in further view of U.S. Patent No. 6,542,758 to Chennakeshu et al. Applicants respectfully traverse these rejections, as both claims 48 and 50 are canceled herein. Applicants further urge that these rejections are not applicable to any of claims 43-46 and 49, where are amended herein to incorporate the subject matter of claims 47, 48 and 50.

Claims 43-46 and 49 recite a first wireless telephone subscribed to receive one or more services from a wireless service provider, the first wireless telephone being a personal wireless telephone. These claims also recite a second wireless telephone subscribed to receive one or more services from a wireless service provider sharing at least one service of the one or more

services with the first wireless telephone, the second wireless telephone being a vehicular wireless telephone. These claims further recite that the first wireless telephone and the second wireless telephone share a single wireless service plan administered by the first wireless service provider or the second wireless service provider, and a single billing report under the single wireless service plan. These features of the invention are not taught or suggested by any combination of the Fitzgerald, Hermann et al. Chennakeshu et al., Walker et al. and Marchbanks et al. patents.

In rejecting claims 44 and 45, the Examiner argued that

Fitzgerald further teaches the idea wherein the first wireless telephone and the second wireless telephone share a single wireless service plan administered by the first wireless service provider or the second wireless service provider in figure 1, where the service provider is the cellular network 108, and the PDA 124 and phone 130, share a single service plan registered with the cellular network (i.e., the HUB device 100, registers with the multiple networks and allows for the devices 124 and 130 to connect to those networks through it, therefore the HUB can have one service plane with the cellular network and the multiple devices can share that service plan.) (*See Office Action, page 3, line 21 to page 4, line 7.*)

Applicant submits that the Fitzgerald patent is completely silent to a first wireless telephone, subscribed to receive one or more services from a first wireless service provider, and a second wireless telephone, subscribed to receive one or more services from a second wireless service provider, sharing a wireless service plan. Instead, the Fitzgerald patent discloses a single cellular network 108. The Fitzgerald patent certainly does not provide any teaching or suggestion that (i) various devices connected to the hub 100 may subscribe to different wireless service providers, but (ii) share a single wireless service plan administered by one of the wireless service providers. Applicant respectfully submits that none of the Hermann et al. Chennakeshu et al., Walker et al.

and Marchbanks et al. patents remedy this omission of the Fitzgerald patent.

The Hermann et al. patent is directed to techniques for a service-consuming device to determine whether a service is rendered by a service-providing device which is adjacency of the service consuming device in an ad-hoc network. (*See, e.g.,* the Hermann et al. patent, column 4, lines 27-34.) The Chennakeshu et al. patent, on the other, is simply directed to a wireless radio system that is distributed among different locations within a vehicle. (*See, e.g.,* Chennakeshu et al. patent, column 2, lines 8-29.) The Walker et al. patent discloses a technique for allowing a caller to access content through an intermediary that has access to the caller's prepaid account. (*See, e.g.,* the Walker et al. patent, column 2, lines 24-63.) While the Marchbanks et al. patent does disclose the use of consolidated billing, the billing consolidates charges from a single wireless service provider and third -party service providers, such as paging and voice mail service providers. It does not teach or suggest consolidating charges for services provided by two different wireless service providers. (*See, the* Marchbanks et al. patent, column 1, lines 43-64.)

Applicant therefore again submits no combination of the Hermann et al. Chennakeshu et al., Walker et al. and Marchbanks et al. patents would teach or suggest the features of the invention recited in claims 43-46 and 49. It is therefore urged that the rejections of claims 48 and 50 are not applicable to any of claims 43-46 and 49.

In view of the above remarks, Applicant respectfully submits that all of the claims are allowable, and that this application is therefore in condition for allowance. Applicant courteously

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asks for favorable action at the Examiner's earliest convenience.

Respectfully submitted,

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